

From: [Kivowitz, Sharon](#)
To: [Miriam Villani](#)
Cc: [LaPoma, Jennifer](#)
Subject: Utilities Manufacturing
Date: Wednesday, January 21, 2015 3:55:00 PM

Hi Miriam,

In your email to Jim Doyle on January 16, 2015, you questioned why EPA considers your client, Utilities Manufacturing Co., Inc., a contributor to the eastern plume at the New Cassel/Hicksville Groundwater Contamination Site and additionally why it is considered a PRP at all.

As to your second question, EPA has reviewed the evidence in its possession with respect to your client. As you know, Utility Manufacturing's operations at 700 Main Street included the blending and repackaging of materials such as PCE and other hazardous substances. In the late 1980s, the following contaminants were detected in subsurface structures, including dry wells, on the property: PCE, TCE, 1,2-DCE, 1,1,1-TCA, toluene, vinyl chloride + other VOCs. Under Nassau County DOH oversight, the subsurface structures were cleaned (pumped and power washed).

In the early 2000s, under an agreement with NYSDEC, Utility Manufacturing completed a remedial investigation which found elevated levels of PCE in groundwater beneath the property. PCE was found at levels as high as 846 ug/L and the maximum concentrations of total VOCs was 1,019 ug/L. The presence of PCE in soil above the water table is indicative of past disposal on the property. In 2001, Utility Manufacturing began operating an air stripping/soil vapor extraction system that ran until 2002. Total VOCs in the groundwater after operation of the air stripping/soil vapor extraction system was 13 ug/L. The fact that there was no rebound detected in the groundwater post-operation of the system indicates that there are no upgradient sources impacting the property. In 2004, DEC performed an off-property RI after Utilities Manufacturing refused to do so. The December 2005 report entitled *Off-Site Remedial Investigation Report for Utility Manufacturing, 700-712 Main Street, Town of North Hempstead, Nassau County, NY* determined that based on the distribution of PCE, TCE, cis-1,2-DCE, 1,1,1-TCA, that VOCs were present in the groundwater at higher concentrations beneath the low permeability unit, in the deeper, more transmissive strata of the Magothy aquifer. The distribution of VOCs in groundwater is consistent with the southwesterly flow direction from the Utility Manufacturing property across the area investigated during the DEC's off-site RI. Groundwater sampling from hydropunch sample 3 and monitoring wells 01S and 01D indicated that there are VOC impacts extended to a depth greater than 125 feet below ground surface. Monitoring wells 01S (90 ft bgs) and 01D (120 ft bgs) had PCE concentrations up to 220 and 54 ug/L, respectively. MW 01 S had concentrations of TCE (33 ug/L), cis 1,2-DCE (84 ug/L), 1,1,1 – TCA (3.6 ug/L) and total VOC concentration of 111.70 ug/L. MW 01D had concentrations of TCE (54 ug/L), cis 1,2-DCE (4.4 ug/L), 1,1,1-TCA (17 ug/L) and a total VOC concentration of 344.63 ug/L. MW 01 is approximately 500 feet southwest of the Utility Manufacturing Property.

The 2005 RI Report further states that although the "on-Site" (700-712 Main Street) soils and groundwater beneath the Site had been remediated by the AS/SVE, the investigation confirmed that a plume of VOC-impacted groundwater remains unmitigated. This unmitigated plume of VOC-impacted groundwater is a source of contamination with respect to the two media investigated during the RI (groundwater and air). The ROD issued in March 2008 for the Utility Manufacturing's "off-site" contamination called for continued monitoring and the natural attenuation of remaining contamination. Note however that the RI report also discusses that as per the DEC's NCIA OU3 ROD, a series of wells were to be installed to intercept VOC-impacted groundwater leaving the NCIA to

reduce concentrations in groundwater prior to reaching [the](#) Bowling Green public supply wells. Thus, based on DEC's 2005 "Off-Site" RI Report, DEC's December 2005 "Off-Site" ROD, and DEC's OU3 NCIA ROD, EPA believes that the release of hazardous substances, in particular PCE, from your client's facility, [contributed](#) to the groundwater contamination in EPA's OU1 area.

You also asked why your client is considered a PRP for EPA's OU1 eastern plume rather than the central plume and you stated that DEC initially considered your client an eastern plume party but later included them with the central plume settlement. EPA does not know why DEC decided to include your client with its central plume settlement. EPA has always understood from DEC that it considers your client a contributor to the eastern plume based on the proximity of your client's facility, approximately 500 feet north of FSMW-14, which is where the highest concentrations of contamination in the eastern plume were found. As you know the groundwater flow is south/southwest. I left a message for Alali Tamuno of DEC in the hopes that she can provide an explanation as to why she considered your client part of the central plume for settlement purposes but I have not as yet heard back from her. My notes from conversations I had with her when I first took over this case last year indicate that she considered your client an eastern plume contributor. Given the above, we continue to believe that your client is a contributor to the eastern plume however I leave it to you to negotiate with the other PRPs your client's role at the site.

If you have questions, please call me.

Sharon

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